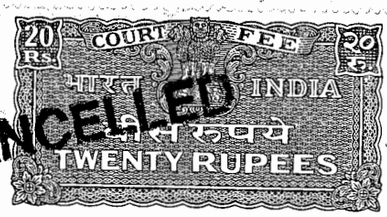

(1) (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench

Civil Revision No. 134 /2006

Applicants :- Raghupat Rao Bhonsle aged 55 years son of Shri Shankar Rao Bhonsle, resident of Simga, Tahsil Simga, Distt. Raipur (C.G.)

VERSUS

Respondents :- Nitesh Lal aged 25 years son of I. Lal Christian, Shopkeeper, resident of Simga, Tahsil Simga, Distt. Raipur (C.G.)

P.R. No. 7 of 06
Presented by Narendra Goswami
dated 19.1.06

Civil Revision Under Section 115 of The Code Of Civil Procedure.

Being Aggrieved by the impugned order passed in Civil Suit no. no. 37-B/2004(Now C.S.No. 18 A/2006) Raghupat Rao Bhonsle Versus Nitesh Lal, dated 13.03.2006 passed by the Civil Judge Class II Baloda Bazar, Distt. Raipur, the copy of the order alongwith Judgement and Decree Dated 08.03.2006 is annexed as **Annexure A-1**.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...C.R.(R).2040... **सन् 2006**

CR No. 134/06

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	07.09.2006 Shri Kamal Pandey, learned counsel for the applicant. The matter is listed on default. However, learned counsel for the applicant submits that certified copy of the impugned order has already been filed and as such the default pointed out by the office stands cured. Heard on admission. The revision is directed against the order dated 13.3.2006 passed by learned Civil Judge, Class-II, Baloda Bazar, Distt-Raipur by which the application of the applicant seeking modification in the judgment and decree and for allowing compensation at the rate of Rs. 50/- per day from 21.8.2000, has been rejected. Learned counsel for the applicant submits that the above order was in fact inadvertently passed by omission and therefore, the Court below has the jurisdiction to correct the same. I have heard learned counsel for the applicant and perused the impugned order of the Court below. The Court below has rightly rejected the application by recording a finding that after passing the judgment, the Court does not have the jurisdiction to review its judgment. Bare perusal of Section 152 of the C.P.C. goes to show that there was no power to the Court to grant the prayer of the applicant and as such I do not find any illegality or infirmity in the order passed by the Court below. Accordingly, the revision is dismissed. **Sd/-** **Dhirendra Mishra** **Judge**	

8.9.06